

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILEDfor the
Southern District of Texas

AUG 30 2016

United States of America
v.
Denise Garcia (F/H/YOB:1985)
US Citizen

David J. Bradley, Clerk

Case No. *M-16-1597-M**Defendant*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 05/25/2016 in the county of Hidalgo in the Southern District of Texas, the defendant violated Title 18 U. S. C. § Section 924 (a)(1)(A), an offense described as follows:

The defendant knowingly made a false statement or representation with respect to the information required to be kept in the records of a licensed Federal Firearms Dealer.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.Approved by
*[Signature]**S/A F. Summers*

Complainant's signature

Freddie J. Summers, ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

August 30, 2016
*9:23 am**Peter Ormsby*

Judge's signature

City and state:

McAllen, TX

Peter Ormsby, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Freddie J. Summers, affiant, being duly sworn, do hereby state the following:

I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a Division of the United States Justice Department, and have been so employed since May 17, 2015. Prior to employment with the ATF, I was employed as an Illinois State Police officer for 10 years where I acted as patrol officer, narcotics detective, and a homicide detective. I have a Bachelors of Business Degree in Marketing Management from Western Illinois University. I am a graduate from the Federal Law Enforcement Training Center and the ATF National Academy. As a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives, I am vested with the authority to investigate violations of Federal Firearms laws, including Titles 18, 26, and 21, United States Code.

The facts establishing probable cause in support of charging Denise GARCIA (hereinafter referred to as "GARCIA"), with Title 18 U.S.C 924(a)(1)(A) are as follows:

In August 2016, your affiant, as part of an investigation into a firearms trafficking cell, obtained a copy of an ATF Form 4473 (Firearms Transaction Record) required to be kept by Federal Firearms Licensee (FFL) which detailed that on May 25, 2016, GARCIA purchased a Beretta, Model 92, 9mm pistol, Serial Number #A111275Z from a FFL located in Pharr, TX.

On August 29, 2016, you affiant contacted GARCIA at her residence and requested to speak with her regarding her purchase of the above mentioned firearm. GARCIA agreed to voluntary speak to agents outside her home.

During the interview, GARCIA stated that on May 25, 2016, she went to a FFL in Pharr, TX to purchase the above mentioned firearm on behalf of another individual. During the purchase of the firearm, GARCIA filled out the ATF Form 4473 and provided false information on the form by indicating that she was the actual purchaser of the above mentioned firearm when in fact she was purchasing the firearm for someone else.

GARCIA stated that she received her approximately \$800 to purchase the firearm and she was allowed to keep the change from her purchase of the firearm as payment for straw purchasing the firearm. GARCIA further stated that she straw purchased two firearms for the individual who currently resides in Mexico.

ATTACHMENT A

The above facts do not encompass all aspects of the investigation and only provide probable cause to the above listed criminal charge.



Freddie J. Summers, ATF Special Agent

Sworn to before me and subscribed in my presence,



Peter Ormsby, U.S. Magistrate Judge

